10/579857 APS Rec'd PCT/PTO 17 MAY 2006

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Internation	onal Applic	ation No.	: 6	PCT/EP2004/011941
Internation	onal Filing	Date	:	22 October 2004 (22.10.2004)
Priority 1	Date(s) Clai	med	:	18 November 2003 (18.11.2003)
Applican	nt(s) (DO/E	O/US)	:	Sylke KLEIN, et al.
Title: F	UNCTION	AL PASTE		
INFOR	MATION I	DISCLOSURE	STATEMEN	Γ UNDER 37 CFR §§ 1.56, 1.97 and 1.98
P.O. Box	sioner for P k 1450 ria, VA 223			
Sir:				
	his informa as follows:		statement is ma	de in accordance with 37 C.F.R. §§ 1.56, 1.97
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		F.R. § 1.97(b), atement is filed:		ment is required for filing this information
		n three months or § 1.53(d);	of the filing dat	e of a national application other than a CPA
		n three months cation; OR	of the actual	filing date of the national phase of a PCT
	befor		a first substant	ive office action (including after filing of an
				disclosure statement is filed after the periods the mailing date of:
	a fina	al rejection unde	er 37 C.F.R. 1.1	113;

a notice of allowance under 37 C.F.R. § 1.311; and

termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR

		is acco	mpanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. \S 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
		a final	action under 37 C.F.R. § 1.113;
		termin	ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
		OR a n	otice of allowance under 37 C.F.R. § 1.311;
	AND i	s filed o	on or before payment of the issue fee; AND is accompanied by:
			tement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of 0 under 37 C.F.R. § 1.17(p).
Staten	nents Ur	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited	Materia	<u>ls</u>	
		ancest	s of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
	\boxtimes		s of materials listed but not attached were cited in an international search dated January 25, 2005.
		Not re	quired by 37 CFR § 1.98.
		Copie	s of the materials listed are attached (except for the foregoing).

Non-English	Language References					
\boxtimes	An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).					
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:					
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Respectfully submitted,

Anthony J. Zefano, Reg. No. 27,969 Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza I 2200 Clarendon Blvd. Suite 1400 Arlington, Virginia 22201 Telephone: (703) 243-6333 Facsimile: (703) 243-6410

Attorney Docket No.: MERCK-3161

Date: May 17, 2006

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					Application Number	USNP of PCT/EP2004/011941	_	
				CLOSURE	Filing Date	22 October 2004 (22.10.2004)		
STATEMENT BY APPLICANT					First Named Inventor	Sylke KLEIN, et al.	_	
					Group Art Unit	unknown 1793	_	
_		(use as many she	ets as	necessary)	Examiner Name	TOTATIONT N. Mai	_	
Ū	Sheet	1	of	1	Attorney Docket Number	MERCK-3161	7	

U.S. PATENT DOCUMENTS								
Examiner Initials *	Cite No.	U.S. Patent Document Kind Code Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY			
/n.m./	001	6,379,745	B1	KYDD, et al.	04-30-2002			
/n.m./	002	6,695,903	B1	KUBELBECK, et al.	02-24-2004			
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FOREIGN PATENT DOCUMENTS								
		Foreign Patent Document			Date of Publication of	Pages, Columns, Lines, Where Ralavant		
Examiner Initials*	Cite No.1	Office ³	Number ⁴	Kind Code ⁶ (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T*
/n.m./	003	wo	03/003381	Α	JABLONSKI, ET AL.	01-09-2003		
/n.m./	004	DD	153 360	· A	SOBOLEV, ET AL.	01-06-1982		
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1 Unique criation designation number 7 See attached Kinds of U.S. Patent Documents. 2 Eater Office that issued the document, by the two letter code (VMPO Standard ST.3) * For Japanese planter documents, be indication of the year of the rising of the Emparer must precise the serial representation of the patent document. * Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible * Applicant is to place a check mark here if English in Janquage Transabision is attached. Number refers to English indiquage corresponding rismly member.

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